

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NICOLE ZE'TONE,

Plaintiff,

-v-

KRIZIA, S.p.A. and FRANCESCO VITALE,

Defendants.
-----X

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: 08 CIV. 495 (DLC)
:

: PRETRIAL
: SCHEDULING ORDER
:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/13/08

DENISE COTE, District Judge:

As set forth at the pretrial conference held pursuant to Rule 16, Fed.R.Civ.P., on May 8, 2008, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. Plaintiff shall provide her medical release forms to the defendant by **May 23, 2008**.
2. No additional parties may be joined or pleadings amended after **May 30, 2008**.
3. The parties are instructed to contact the chambers of Magistrate Judge Pitman prior to **September 26, 2008** in order to pursue settlement discussions under his supervision.
4. All fact discovery must be completed by **October 31, 2008**.
5. The following motion will be served by the dates indicated below.

Plaintiff's motion for summary judgment on the counter-claim

- Motion served by **November 21, 2008**
- Opposition served by **December 19, 2008**
- Reply served by **January 9, 2009**

At the time any Reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by delivering them to the Courthouse Mailroom, 8th Floor, United States Courthouse, 500 Pearl Street, New York, New York.

6. Plaintiff's identification of experts and disclosure of expert testimony conforming to the requirements of Rule 26(a)(2)(B), Fed.R.Civ.P., must occur by **November 21, 2008**. Defendants' identification of experts and disclosure of expert testimony must occur by **December 19, 2008**.
7. All expert discovery must be completed by **January 30, 2009**.
8. In the event no motion is filed, the Joint Pretrial Order must be filed by **February 13, 2009**.

As described in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Proposed Findings of Fact and Conclusions of Law and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter.

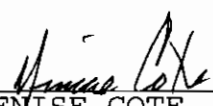
All direct testimony except for testimony of an adverse party, a person whose attendance must be compelled by subpoena, or a witness for whom a party has requested and the Court has agreed to hear the direct testimony at trial, shall be submitted by affidavits served, **but not filed**, with the Joint Pretrial Order.

Those portions of depositions that are being offered as substantive evidence, along with a one page synopsis (with transcript citations) of such testimony for each deposition, shall be exchanged at the time the Pretrial Order is filed.

Three days after submission of the affidavits, counsel for each party shall submit a list of all affiants that he or she intends to cross-examine at the trial. Affiants for whom such notice is not given are not required to be present at trial.

Counsel will provide the Court with a one (1) courtesy copy of all these documents at the time they are served, as well as two sets of pre-marked exhibits assembled sequentially i) in a looseleaf binder, or ii) in separate manila folders labelled with the exhibit numbers and placed in a suitable container or box for ready reference.

Dated: New York, New York
May 13, 2008



DENISE COTE
United States District Judge